

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE:** :  
**SRINATH DHARMAPADAM** : **SUB CHAPTER V**  
**PURVI SRINATH DHARMAPADAM** :  
    **Debtors** : **CASE NO. 4-23-00487-MJC**  
    :  
**LISA A. RYNARD, ESQUIRE** :  
**SUB CHAPTER V TRUSTEE** :  
    **Trustee/Movant** :  
    :  
    :  
**vs.** :  
    :  
**SRINATH DHARMAPADAM** :  
**PURVI SRINATH DHARMAPADAM** :  
    **Respondents** :

**SUB CHAPTER V TRUSTEE'S OBJECTION TO DEBTORS' 1<sup>st</sup> AMENDED  
PLAN OF REORGANIZATION, DATED SEPTEMBER 18, 2023**

AND NOW, comes Lisa A. Rynard, Esquire, Sub Chapter V Trustee ("Trustee"), and objects to the confirmation of Srinath Dharmapadam and Purvi Srinath Dharmapadam's 1<sup>st</sup> Amended Sub Chapter V Plan of Reorganization, Dated September 18, 2023, Document #62 ("Plan"). In support of this Objection, the Trustee states as follows:

1. Srinath Dharmapadam and Purvi Srinath Dharmapadam ("Debtors") filed a Sub Chapter V Bankruptcy proceeding to the above case number on March 8, 2023.
2. Movant was appointed the Sub Chapter V Trustee pursuant to 11 U.S.C. §1183(a) on March 9, 2023.
3. Section 1183(b) enumerates the Trustee's duties, which include the right to "appear and be heard" with respect to "any hearing that concerns . . . confirmation of a plan filed under this subchapter." 11 U.S.C. §1183(b)(3)(B).
4. Consistent with 11 U.S.C. §1189, the Debtors filed their Plan on June 5, 2023.

5. Debtors filed their 1<sup>st</sup> Amended Plan on September 18, 2023.
6. The last date for objections to the 1<sup>st</sup> Amended Plan has been set as October 24, 2023.
7. The Hearing on Confirmation of the 1<sup>st</sup> Amended Plan has been scheduled for November 7, 2023.
8. In order for the Court to confirm the 1<sup>st</sup> Amended Plan, the 1<sup>st</sup> Amended Plan must satisfy all of the requirements of 11 U.S.C. §1191, which includes that the 1<sup>st</sup> Amended Plan meets “all the requirements of 11 U.S.C. §1129(a), other than paragraph (15) of that section.” It does not.
9. The 1<sup>st</sup> Amended Plan does not comply with 11 U.S.C. §1129(a)(7) in that it fails to provide the holder of each claim the value that is not less than the amount such holder would so receive or retain if the Debtors were liquidated under Chapter 7.
10. The Plan provides for the Sub Chapter V Trustee to liquidate property, a duty not within the Sub Chapter V Trustee’s purview under §1183(b). The Trustee objects to the unilateral imposition of this obligation to fund the 1<sup>st</sup> Amended Plan upon the Trustee.
11. Proposed refinance of Debtors’ residential real estate within five (5) years after confirmation is speculative and raises an issue of feasibility under §1129(a)(11).

WHEREFORE, Trustee prays that this Court sustain its Objection and enter an order denying confirmation of the 1<sup>st</sup> Amended Sub Chapter V Plan and grant such other relief as is equitable and just.

Respectfully submitted,

LAW OFFICE OF LISA A. RYNARD

By: /s/ Lisa A. Rynard, Esquire  
Lisa A. Rynard, Esquire  
Sub Chapter V Trustee  
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Dated: October 24, 2023

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**PURVI SRINATH DHARMAPADAM** :  
    **Respondents** :

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a true and correct copy of the SUB CHAPTER V TRUSTEE'S OBJECTION TO DEBTORS' 1<sup>ST</sup> AMENDED PLAN OF REORGANIZATION, DATED SEPTEMBER 18, 2023 was served on the following parties in this manner:

<u>Name and Address</u>	<u>Mode of Service</u>
Gary J. Imblum, Esquire Counsel for Debtors <a href="mailto:Gary.Imblum@imblumlaw.com">Gary.Imblum@imblumlaw.com</a>	Via ECF/CM
Joseph P. Schalk, Esquire Office of the United States Trustee <a href="mailto:Joseph.Schalk@usdoj.gov">Joseph.Schalk@usdoj.gov</a>	Via ECF/CM

Date: October 24, 2023

By:/s/ Lisa A. Rynard  
Lisa A. Rynard